

RECEIVED

01-348

From: "bruce gall" <bdgall@msn.com>
 To: <mpowell@fcc.gov>
 Date: Wed, Oct 2, 2002 3:38 AM
 Subject: ECHOSTAR - PLEASE READ THIS AND UNDERSTAND THAT ALL CAN BE VERIFIED

OCT 23 2002

DOCKET FILE COPY ORIGINAL

Federal Communications Commission
 Office of Secretary

I WILL BE BRIEF AND I CAN PROVIDE DOUCMENTS THAT WILL SUPPORT WHAT I HAVE TO SAY I HAVE LOST MY BUSINESS AND HAVE SPENT ALL MY FUND'S I TURN TO YOU IN HOPES THAT YOU WILL INVESTIGATE THIS INCIDENT THE FINDING'S WILL SHOW THAT ECHOSTAR HAS BEEN AWARE THEY ARE IN VIOLATION OF FCC RULES AND RATHER THEN COMPLY THEY INSTEAD CHOSE TO TRY AND COVER THIS UP

IN MARCH OF 2000 I BECAME AWARE THAT A FELLOW ECHOSTAR DEALER IN LANE COUNTY OREGON WAS THRU FALSE ADDRESSING/ LISTING 2 SEPRATE ADDRESSES ON EACH NEW ACCOUANT HE SINGED UP FOR DISH NETWORK THUS ALLOWING DISH NETWORK TO SIDE STEP THE LOCAL NETWORKS AND THE FCC RULES AND GIVE EACH COUSTMER THE EAST COAST/WEST COAST NETWORK FEEDS ALLOWING ECHOSTAR TO CHARGE AN ADDITIONAL \$5.99 TO EACH SUBSCRIBER WHEN WE CONTACTED ECHOSTAR AND SHOWED THAT THRU INFORMATION WE OBTAINED FROM THERE ACC RECORDS THAT THIS WAS GOING ON AT FIRST THEY WERE READY TO TAKE ACTION THEY SHUT DOWN THE DEALER IN QUESTION SO HE CAME TO US OFFERING AT FIRST TO SELL US HIS DEALERSHIP WE BEING AWARE OF THE FACTS WANTED NO PART OF HIS BUSINESS BUT HE KEPT AT US AND WHEN WE SHARED THIS INFO WITH ECHOSTAR THEY BECAME VERY WARM TO THE IDEA THEY TOLD BOTH MY PARTNER AND MY SELF THAT NOT ONLY WOULD THEY SUPPORT US IN TAKEING OVER HIS LOCATION BUT THAT WE COULD PARTNER WITH ECHOSTAR AND CLEAN UP THE FALSE ADDRESS ACCOUANTS THAT THE DEALER HAD SOLD

WHAT MY PARTNER AND I DID NOT KNOW AND I WANTED TO BELIVE THAT ECHOSTAR DID NOT HAVE THIS KNOWELDGE BUT IT BECAME QUITE OBVIOUS ONCE WE OBTAINED THE DEALERS LOCATION AND COUSTMER BASE THAT ECHOSTAR WAS AWARE OF THE FACT THAT OVER 300 OF HIS COUSTMERS WERE GETTING THE ILLEGAL WEST COAST/EAST COAST NETWORK FEEDS AND MOST HAD NO KNOWELDGE THEY HAD VIOLATED ANY FCC RULES ON TOP OF THAT 2 OF THE LOCAL AFFILIEATES WERE IN THE PROCESS OF SUEING THE DEALER BECAUSE THEY HAD BECOME AWARE OF WQHAT HE WAS DOING

I KNOW I SAID I WOULD BE BRIEF AND IF YOU ARE STILL READING YOU PROABLY ARE SAYING SO THIS WAS IN MARCH OF 2000 YESTERDAY SEPT 30 2002 I CALLED JUST 8 PHONE NUMBERS FROM THE DEALERS SALES LIST I JUST PICKED THEM NO REAL ORDER OUT OF THE 8 NUMBERS I CALLED I GOT 5 TO ANSWER THERE PHONE 4 OF THE 5 STILL HAD THE EAST COAST/WESTCOAST NETWORKS THE 5 ONE NO LONGER WAS A COUSTMER

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 BDGALL@MSN.COM

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From: Marvel Stalcup <marvs@verdenet.com>
To: <mpowell@fcc.gov>
Date: Sat, Oct 5, 2002 10:09 AM
Subject: Dish

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Federal Communications Commission
Office of Secretary

Mr. Powell,

I *see* that you are about to vote on merger of Echostar and Direct TV.
Please vote against this monopolistic merger, it is not in the interest
of the American Public.

Thanks Marv

01-348

From: <Reweichman@aol.com>
To: <mpowell@fcc.gov>
Date: Sat, Oct 5, 2002 6:13 PM
Subject: ECHOSTAR-DIRECTTV DEAL

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Hopefully your commission will turndown this proposed merger in the best interest of the American public. Another reason to turn it down is the deceptive advertising practices of DirectTV and their improperly supervised telemarketing people who will say anything to get new customers. You are probably aware that there are a number of pending class action suits against DirectTV.

Federal Communications Commission
Office of Secretary

From: "Rick Blasco" <RICKB3@msn.com>
To: <mpowell@fcc.gov>
Date: Sat, Oct 5, 2002 6:21 PM
Subject: EchoStar purchase of DirecTV

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01-348

Dear Mr. Powell:

Federal Communications Commission
Office of Secretary

I don't often contact government agencies at any level. It in this instance I must contact your agency to convey something I feel very strongly about. I am 58 years old and have utilized the services of at least 6 cable television companies in my life. In each instance I have received less than acceptable service, to put it kindly. I don't believe I am alone in this experience. I recently read in my local newspaper that your agency will probably disapprove the proposed purchase of DirecTV by Echostar.

Based on my past experience with cable companies and the monopoly they exert in their business operations the same poor to almost non-existent customer service and unreasonable pricing will occur with satellite television if this merger is allowed. There will be less competition in the tv broadcast industry and none in satellite broadcasting.

About a year ago I subscribed to DirecTV. After enduring 30 years of cable tv I must tell you I was pleasantly surprised with their service. Picture quality is excellent, somebody actually answers the phone when I call them, I have had no billing errors, I have more billing options, and they answer their e-mail within 1 or 2 days. I DO NOT want this level of service to end and ask that your agency not approve this purchase. Please!

Finally, I do not understand why cable companies are allowed to operate at such a low level of customer service. As I understand it your agency has "loose" oversight of the cable tv industry. The cable industry needs more oversight than it currently has. If my company ran it's business the way cable companies run theirs it would be out of business and I would be out of a job. The solution is, and is obvious to me, additional oversight and/or more competition.

Sincerely,

Rick Blasco
Richardson, Texas

01-348

From: James Clarke <jclarke@optonline.net>
To: <mpowell@fcc.gov>
Date: Mon. Oct 7, 2002 11:33AM
Subject: Echo Star acquisition

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OCT 23 2002

All the engineers at my firm endorse the Echo Star acquisition of Hughes Electronics Group. Your decision to block the acquisition will cause significant financial turmoil for all the parties concerned. Our analysis shows that the acquisition will reduce the cost to the consumer and provide superior service.

At a time of economic problems we need forward thinking and consideration for all the parties and the public.

A decision for the acquisition will help the stock and bond markets. We need all the help we can get from all sources. We don't need stubborn thinking that blocks progress. Competition will continue in the industry.

PTek Engineering

01-348

From: "Tom Foppiano" <tomfopp@bellsouth.net>
To: <mpowell@fcc.gov>
Date: Mon. Oct 7, 2002 7:05 PM
Subject: Direct TV sale

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Chairman Powell,

OFFICE OF THE
SECRETARY

My wife and I urge you not to vote in favor of the sale. It will definitely reduce competition and create a monopoly.

Regards,

Tom and Dan Foppiano
Atlantic Beach, Fla.

From: "Christopher Bacon" <cbacon@wcnet.org>
To: <mpowell@fcc.gov>
Date: Mon. Oct 7, 2002 8:00 PM
Subject: Echostar / Hughes merger

Mr. Powell

As a consumer, I would like to weigh in on the pending Echostar / Hughes merger. I'm sure there are many attorneys on both sides pouring over the finer points of the merger, but I would like a few minutes of your time to write to you about potential problems that I see.

First, I live in a rural village that has a franchise agreement with a local cable company. This company is small & doesn't have very good service. They have had many outages and they really haven't improved much in content and service in many years. No other cable service is available in our area. As a result, if we want a wide variety of programming, our only choice is satellite. We have signed up with Echostar's Dish Network. While we don't have a complaint about about the programming, we haven't had much luck with their billing department. We have not receive a billing statement from them in over 4 months. We have constantly called and asked them to send us a bill, but they never do. Each time they call to tell us we're late, we ask them to send us a bill, but they try to talk us into paying over the Internet or having the amount automatically deducted out of our checking account. Neither my wife or myself like this idea very much because if Dish Network can't handle billing procedures properly, I don't trust them with access to my checking account. Our billing problems started when we cancelled their Dish magazine. For over 4 months, they've been trying to charge us for it even though we do not receive it.

I don't expect you or the FCC to resolve our billing problems - I realize that this is a matter between myself and Dish Network. What I am writing to you about is that if Echostar is going to become the only game in town (or the whole US for that matter) for satellite service, they need to do it better than anyone else. But they're not. Right now as a consumer, I have some leverage. I can tell Dish Network that unless they correct their billing problems, we'll switch to Direct TV. But if the merger is approved, consumers like me will lose that leverage (I feel that this same type of consumer leverage has lead to lower prices and better service in the wireless phone market).

In our area, we need to have the leverage that 2 satellite providers provide (as mentioned earlier, cable isn't an option to us). I urge you to try to prevent this merger from taking place until 1) Echostar can do it better than anyone else & is willing to resolve problems like I have experienced, or; 2) there are more options available to us rural consumers.

Thank you for your time

Sincerely,

Christopher Bacon
38 Church St. Box 83
Rudolph, OH 43462

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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OFFICE OF THE SECRETARY

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01-3%

From: "Message On Hold" <mohs@wwisp.com>
To: <mpowell@fcc.gov>, <kjmweb@fcc.gov>, <mcopps@fcc.gov>, <kabernat@fcc.gov>
Date: Thu, Oct 10, 2002 3:30 PM
Subject: Echostar and DirecTV

OCT 23 2002
Federal Communications Commission
Office of Secretary

Dear Commissioners,

As a rural subscriber to satellite television, I was extremely dismayed to learn that you declined to approve the Echostar and DirecTV merger. Is there no capacity for the FCC and the Justice Department to control this potential monopoly - in light of the pleas from both parties to allow further negotiations?

Living in a rural area, my only hope for high speed internet access at this time would be a very expensive one. Without the merger, it costs approximately \$700 to acquire the necessary equipment and installation. plus \$60 per month. Had the proposed merger taken place, my expense for this type of service would be competitively priced with DSL service.

Also, the prospects for increased competition with cable systems would have the potential to drive DOWN prices for all services - everywhere. I fail to see the validity of your dismissal.

I urge you to reconsider opening the door of opportunity for this merged company. I have faith that the FCC and the Justice Department can find suitable solutions to the "potential" problems in the proposal; thus bringing the world of broadband Internet access to the millions of Americans living in rural markets. I simply can't understand how if you're acting in the best interest of the citizens, we're the ones who lose.

Thank you for your time and consideration,

Marty Schwartz
48912 Hwy 22
Wadley, AL 36276

01-348

From: "Mike Schreiner" <michael.schreiner@Tallan.com>
To: <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 3:45 PM
Subject: Echostar/Hughes Merger

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Mr. Powell,

As a consumer who has been a customer of Dish Network for over 5 years, I am dumbfounded by the recent announcement concerning the merger of Echostar and Hughes. Where I live there is no choice for cable television, never has been. The cable company here in my area provided poor service, poor programming choices, and charged exorbitant rates. It was because of this MONOPOLY that I chose to go the route of satellite.

Please explain how your bureaucracy can determine that it is not in the best interests of consumers to allow this deal to go through because of competition concerns, when the cable companies have operated in this manner for DECADES. This smacks of corporate lobbyists undue influence and on top of that is just doesn't make sense. It is ok for the cable companies to operate in a market without competition but it is not for a satellite provider? Explain to me the difference here.

To quote you :

"This flies in the face of three decades of communications policy that has sought ways to eliminate the need for regulation by fostering greater competition."

What policy was that? The same policy that allowed the cable company to operate it's monopoly where I live for going on 30 years??? That makes sense....

What you should **be** looking at is the bigger picture. In a given market what are the choices? In my market it is a single cable company, or 2 dish services. So basically it is cable or dish. If the merger went through then what would I, as a consumer, be losing. Nothing is the answer, as I would still have the same 2 choices, only the satellite option would be more attractive due to the economies of scale that would be realized via this merger, which would allow for more service to be provided as a lesser cost

I guess the question is, how much money have the cable companies spent lobbying the out of touch, self perpetuating bureaucracy because they feel threatened by the fact that a REAL competitor would be born via this merger?

As far as I am concerned all you have done sir is allow the cable companies to continue to operate THEIR MONOPOLY to the detriment of the consumer, which is myself. It is actions such as these that are eroding the confidence I have in my government to look out for me, rather than their own interests or the interests of big corporations who have money to spend in DC lobbying,

Mike Schreiner
2856 Timber Knoll Dr.
Valrico Florida
33594

01-348

From: "Jay/Susan Bryant" <jaybryant@erols.com>
To: <mpowell@fcc.gov>
Date: Thu. Oct 10, 2002 3:59 PM
Subject: Echostar merger decision

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I am dismayed by the action of the Commission today in rejecting the Echostar merger. My consulting business would benefit greatly if I were able to obtain Broadband Internet access, but I am not on a cable line, nor close enough to the hub to get DSL. The satellite-based service currently offered by DirecTV is overpriced.

The Echostar merger would have given me some hope that eventually I could get Broadband service, but now that hope is dashed. Moreover, in reading the opinions of the Commissioners, I find no mention whatsoever of the adverse impact of this decision on the many, many people who I am sure must be in a similar position to mine. It is disheartening to think that our interests aren't even considered worthy of a comment.

Jay Bryant

01-348

From: Jerry Schmidt <jschmidt@gie.com>
To: <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 4:08 PM
Subject: EchoStar-DirecTV Merger

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Mr. Powell

I concur with the FCC's decision to disallow the EchoStar-DirecTV Merger. A merger would have decreased competition and would have resulted in increased prices.

Federal Communications Commission
Office of Secretary

Regards,

Jerry Schmidt

Jerry Schmidt
Lead Mechanical Engineer
Gulf Interstate Engineering
Engineering

1700 W. Loop South, Suite 600
Houston, Texas 77027
USA

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Country: USA

Comment
GIE's standard work hours: 7:00 to 4:15 cst Monday thru Thursday
7:00 to 1:00 cst Friday.

I'm usually here at 6:15 in the a.m

Formatted Name
Jerry Schmidt

From: "Hopkins, Paul" <PHopkins@seren.com>
To: "mpowell@fcc.gov" <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 4:41 PM
Subject: Directv/Echo Star Merger

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Good job on not approving the merger.

I live in rural MN and only have these two companies as my choices. I have done business with both, and much prefer Directv due to their customer service and professionalism. It would have been very disappointing to only have Echo Star as a viable provider.

You scored points for the consumer

Paul Hopkins

01-348

From: "Hulboy, Chad" <CHulb@SEORMC.ORG>
To: "mpowell@fcc.gov" <mpowell@fcc.gov>
Date: Thu. Oct 10, 2002 4:52 PM
Subject: Echostar-Directv Merger

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Federal Communications Commission
Office of Consumer Affairs

I read your press release regarding the denial of the Echostar/ DirecTV merger. I am disappointed, at best. I live in an area where locals are not available. Due to your regulations, Dish Network can't sell me NBC or CBS. Because of this, I am forced to pay the extra expense of erecting and maintain a separate outdoor antenna. This antenna is located a few hundred feet from my house on top of a large hill - the highest point on my property. With a several hundred dollar investment, I now have CBS nearly watchable, and can get no more than a rolling fuzzball on either of 2 "nearby" NBC stations. Even if I was able to receive them clearly, I would still be unable to utilize the PVR features that I pay good money for on my Dish. Without that, I can rarely watch those channels. Not that I know what is on them - since they don't show up in my on screen guide, I would be forced to pay for a TV guide every week to see what was on those 2 channels. I'm not sure how this helps CBS and NBC either. Most of my family's favorite shows are on CBS, and NASCAR races are on NBC, but we haven't seen either for months - which means WHIZ hasn't made a dime off of me anyway. I am one of the few people in this area who have bothered to even try the antenna. Most who don't get a station, simply don't get it. More lost viewers for the stations you are 'helping'. Now, I understand I can appeal, and have a signal test performed, etc, at my expense, but I'm a little short on cash right now since buying that nifty +30Db booster at Radio Shack the other day for my antenna. Oh, yeah, and some animal chewed on my cable at the base of the antenna and let water in, so I have to start saving to replace that 250ft cable.

I suggest that since "80-85%" can be served locals, you release the restrictions on selling distant locals to those of us in the other 15-20%. I think it is the least you can do now that you have screwed us out of our chance to enjoy the same opportunities that everyone else gets.

Chad Hulboy
System Administrator
Southeastern Med

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From: "Mike" <realtree@egyptian.net>
To: <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 5:49 PM
Subject: Echo Star

Federal Communications Commission
Office of Secretary

Thanks to 4 people you have proven that the FCC has no idea what people in the **U.S.A.** want. There was no reason to stop it. The merger would have helped people in rural areas have the same opportunity as people in the metro areas. So how much are *the* cable companies paying you guys under the table? It would have made Dish Network/Direct TV more competitive with the cable companies. So it shows to me someone is getting a little extra money on the side. Next time instead of lining the pockets is some fat suits in an office in Washington maybe you should look out for what's best for the American people. So thanks again for proving again that the FCC should be dissolved.
Michael Garrison

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From: "Feyereisn, Wayne L.. M.D." <feyereisn.wayne@mayo.edu>
To: "mpowell@fcc.gov" <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 5:50 PM
Subject: Hughes-DirectTV merger

OCT 23 2002

Federal Communications Commission
Office of Secretary

Dear Honorable Micheal K. Powell

I wanted to write giving conditional support to the proposed merger. I am writing as a rural resident. The local channel issue is the largest area of concern and non-coverage of much of the rural environment of the United States is a concern. If other methods short of this merger can accomplish this this also would be acceptable. Short of other competition, management of this merger as a monopoly with strict provision I think would accomplish this.

Currently living in outstate Minnesota I receive some but not all channels. The channels I don't receive, I have no choice but to receive East or West Coast channels depriving rural residents of local state and regional news.

Breaking down the restrictions and allowing "freedom of choice" so that the networks can be purchased from any region would also help. At least rural residents could get the news, sports weather and other regional programming of interest. (example outstate Minnesota residents being "allowed to purchase" a network package out of Minneapolis even though there are more local stations, but they cannot be adequately received, would reduce many of these concerns.

If these concerns are not able to be addressed via other routes, at least the merger takes care of them for us.

I would be happy to discuss this with any of your staff, speaking as a rural resident and sharing with any of you the issues we have. Broadband access is too expensive currently in the rural environment and I do not know if the merger will really help make it a cost competitive alternative.

Thanks for your consideration in reviewing this letter!

Wayne Feyereisn M.D.
Route 2 Box 134AA
St. Charles, Minnesota 55972
home 507-932-4620
Office 507-284-0443

From: "Marty Keller" <dordo@mchsi.com>
To: <mpowell@fcc.gov>
Date: Thu, Oct 10, 2002 7:39 PM
Subject: Echostar Merger

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Federal Communications Commission
Office of Secretary

Hello,

I am disappointed in the commissions ruling of the Echostar merger. What is the problem? Are you siding with the cable companies again? I have had cable in the past and that is a joke in our area we have but one choice of who supplies our cable and the cost is unreal but I could get local stations. I now have satellite and the cost is reasonable but no local channels. I believe your commission had something to do with that, so to get local stations I am forced to use cable television. I have an HDTV so with cable no HD terrible reception and higher cost. So you people are worried about a monopoly but it seems you side with the cable companies. And tell me how many rural homes have cable?

Would you PLEASE let this merger happen I think that more people would benefit than be hurt by the combination.

Thank you,
Martin Keller

From: "Gary Agin" <GaryAgin@peoplepc.com>
To: <mpowell@fcc.gov>, <kabernat@fcc.gov>, <mcdopp@fcc.gov>, <kjmweb@fcc.gov>
Date: Thu, Oct 10.2002 10:46 PM
Subject: DishNetwork and DirecTV Merge IS in the Public Interest

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OCT 23 2002

Federal Communications Commission
Office of Secretary

I am a Dish Network subscriber and am very disappointed in your decision on the Echostar - Hughes merge. I was looking forward improved picture quality and additional high definition services that are not available in my area. Echostar has been a company that has been vigorously competing with cable for years to provide low cost television service to all of America. To make the assertion that if the merge went forward they would stop this competition and start gouging rural American is absurd. The rural area would benefit most from the merge. Many of these area have little access to high speed internet and HDTV services. Satellite TV needs more band-wide to compete against cable and provide advances services. Your action makes me wonder if you are not caving in to pressure from folks that are against the merger by "cooking" the facts to justify an unobjective decision.

Regards.
Gary Agin
15234

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Federal Communications Commission
Office of Secretary

01-348

From: "Evan Heise" <eaheise@tds.net>
To: <mpowell@fcc.gov>, <kabernat@fcc.gov>, <mcopps@fcc.gov>, <kjmweb@fcc.gov>
Date: Fri, Oct 11, 2002 2:53 AM
Subject: Echostar - Hughes merger

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Federal Communications Commission
Office of Secretary

It really sucks that you have declined this merger. I have been a long time subscriber and customer of the Dish Network and have never been disappointed by their service or promises. I have never seen a company promise that they would not raise rates for over a year and stick to that promise. And then the raise in rates was just one dollar. I would like to see any cable company put that in writing like Dish Network did and offer the same excellent quality signal and programming.

What if this merger never comes to be? Are you then going to let Rupert Murdoch buy Hughes then? I see that more of a monopoly and a danger to the rural television community than the present merger.

Also, under the same circumstances I surely hope then that you don't let the AT&T - Comcast merger happen.

Disgusted satellite advocate and loyal Dish Network subscriber,

CC: <charlie@dishnetwork.com>